

Rosemarie Arnold

Certified Civil Trial Attorney

In New York:
Tacopina & Arnold
275 Madison Avenue
New York, New York 10016
(212) 883-8833

1886 Pallsade Avenue
Fort Lee, New Jersey 07024
Tel: (201) 461-1111
Fax: (201) 461-1666

Rosemarie Arnold**
Sheri A. Breen*
Evan D. Baker**
Natalie A. Zammitti Shaw**

Francesca Aiello-Nicholas
Kelly A. Conlon
Cindy Newman*
Juliana M. Barno*
John W. Magrino*
Paige R. Butler*
Christine Kowalski

Joseph Tacopina**
Annemarie Brana-Todd*

Please reply to New Jersey



** Certified Civil Trial Attorney
* Managing Attorney
* Admitted in NY
* Admitted in NV
* Admitted in IL
* Admitted in DC
* Of Counsel

January 29, 2010

The Honorable Katharine S. Hayden
C/o William T. Walsh, Clerk
U.S. District Court - Newark
50 Walnut Street
Room 4015
Newark, New Jersey 07102

Re: Wei Ngai, et als. v. Old Navy, et als.
Civil Action Number: 2:07-cv-5653 (KSH) (PS)

Dear Judge Hayden:

In connection with the above-captioned matter, Plaintiff requests permission to file a 1 ½ page Sur-Reply to Defendant's Reply to Plaintiff's Opposition to Defendant's Notice of Motion to Appeal Magistrate's Order filed on January 8, 2010.

Request Denied.

Additionally, pursuant to Local Civil Rule 7.2(b), Plaintiff requests permission to file a 112 page Brief in Opposition to the "motion" in limine filed by Defendant, GAP. The request for an overlength brief is necessitated by the fact that Defendant filed 16 motions in limine in one brief. Defendant's brief was overlength (without leave of the Court) as it consisted

of 35 pages in a 12 point proportional font. Defendant's brief did not contain a statement of facts accompanying its legal argument.

It is Plaintiff's position that the legal argument set forth by Defendant contains numerous misstatements of fact and, therefore a detailed statement of facts must accompany Plaintiff's legal argument.

It is reasonably anticipated that in order to fully and properly respond to Defendant's 16 in limine motions filed in one brief, Plaintiff will need 112 pages broken down as follows:

1. 25 pages to present an accurate Statement of Pertinent Facts;
2. 15 pages to address Points I, II, III, and IV;
3. 15 pages to address Points V, VI and VII;
4. 5 pages to address Point VIII;
5. 10 pages to address Points IX and X;
6. 2 pages to address Point XI;
7. 5 pages to address Point XII;
8. 5 pages to address Point XIII;
9. 15 pages to address Point XIV;
10. 10 pages to address Point XV;
11. 5 pages to address Point XVI.

Total pages 112.

Request Denied.

[Signature]
1.29.10

At 11:00 a.m. this morning, Juliana Barno, Esq. from my office called GAP's attorney, George Psak, Esq. to request his consent for the above. Ms. Barno was advised that although Mr. Psak was in his office, he was unavailable to come to the telephone. As of the time e-filing this letter, he has not called back.

Thank you for your consideration of the above.

Respectfully submitted,
Law Offices Rosemarie Arnold

/s/ Rosemarie Arnold
ROSEMARIE ARNOLD

RA: kjj

cc: George Psak, Esq.